

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

UNITED STATES OF AMERICA

CASE NO.

1:10CR--48

v.

TIMOTHY J. McNAMEE

INDICTMENT

18 U.S.C. § 2251(a)

18 U.S.C. § 2251(e)

18 U.S.C. § 2252(a)(2)

18 U.S.C. § 2252(a)(4)

18 U.S.C. § 2252(b)(1)

18 U.S.C. § 2252(b)(2)

18 U.S.C. § 2253(a)(1)

18 U.S.C. § 2253(a)(3)

J. DLOTT

U.S. DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

100 APR - 7 PM 5:00

FILED
JAMES BONINI
CLERK

The Grand Jury charges that:

Count 1

On or about September 22, 2009, in the Southern District of Ohio, the defendant, TIMOTHY J. McNAMEE, did employ, use, persuade, induce, entice, and coerce a minor to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct and was produced using materials that had been mailed, shipped, and transported in interstate or foreign commerce.

In violation of 18 U.S.C. §§ 2251(a) and 2251(e).

Count 2

On or about October 23, 2009, in the Southern District of Ohio, the defendant, TIMOTHY J. McNAMEE, knowingly distributed a visual depiction that had been mailed, or shipped or

transported in interstate or foreign commerce, or which contained materials which had been mailed or so shipped or transported, by any means including by computer, the producing of such visual depiction having involved the use of a minor engaging in sexually explicit conduct and such depiction was of such conduct.

In violation of 18 U.S.C. §§2252(a)(2) and 2252(b)(1).

Count 3

On or about October 23, 2009, in the Southern District of Ohio, the defendant, TIMOTHY J. McNAMEE, knowingly received a visual depiction that had been mailed, or shipped or transported in interstate or foreign commerce, or which contained materials which had been mailed or so shipped or transported, by any means including by computer, the producing of such visual depiction having involved the use of a minor engaging in sexually explicit conduct and such depiction was of such conduct.

In violation of 18 U.S.C. §§2252(a)(2) and 2252(b)(1).

Count 4

On or about March 3, 2010, in the Southern District of Ohio, the defendant, TIMOTHY J. McNAMEE, knowingly possessed one or more books, magazines, periodicals, films, video tapes, and other matter which contained visual depictions that had been mailed, shipped and transported in interstate or foreign commerce, and produced using materials which had been mailed, shipped and transported in interstate and foreign commerce, by any means including by computer, the producing of such visual depictions having involved the use of a minor engaging in sexually explicit conduct and which visual depictions were of such conduct.

In violation of 18 U.S.C. §§2252(a)(4) and 2252(b)(2).

Forfeiture

Upon conviction of an offense alleged in Counts 1 through 4 of this Indictment, the defendant shall forfeit to the United States the defendant's interest in:

1. All visual depictions, in any form, described in Title 18, United States Code, Sections 2251, 2251A or 2252, and any book, magazine, periodical, film, video tape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of Title 18, Chapter 110;
2. All property, real or personal, constituting or traceable to gross profits or other proceeds obtained from such offenses; and;
3. All property, real or personal, used or intended to be used to commit or to promote the commission of such offense, including, but not limited to the following item(s):
 - a. Sony Handycam video camera with case and accessories
 - b. Dell laptop PP21L
 - c. Dell Optiplex GX1 desktop computer
 - d. Bushnell telescope
 - e. Silver HP Photosmart 8250
 - f. Sylvania TV/computer monitor
 - g. Silver Pentax Optio 33L digital camera
 - h. Kodak Easy Share P850
 - i. Insignia camera with memory card and thumb drive
 - j. Seagate expansion drive with thumb drive
 - k. Sandisk Ultra II memory card with case
 - l. Microadaptor memory card with case
 - m. 2.4 Ghz memory card
 - n. Shredded photographs

- o. 10 boxes/cases of floppy disks
- p. 10 DVD/DVR's
- q. 8 floppy disks
- r. 2 HI8 tapes
- s. 4 zip disks
- t. 2 memory cards
- u. Blue bag
- v. 1 index card
- w. Bag of young girl's clothing
- x. Bed sheet
- y. Pillow cases
- z. Comforter
- aa. 3 mini DVD's
- bb. Photographs
- cc. Bag of hair
- dd. 19 CD/DVR
- ee. 2 rolls of film
- ff. Blue box safe
- gg. 26 CD/DVR's
- hh. 3 VCR tapes
- ii. 3 Quantum hard drives
- jj. 4 Maxtor hard drives
- kk. MIS laptop computer
- ll. 2 Conner hard drives
- mm. Western digital hard drive
- nn. Seagate hard drive
- oo. Tomahawk hard drive
- pp. IBM hard drive
- qq. Proline desktop computer

rr. Zenith desk top computer
ss. 13 zip disks
tt. 31 floppy disks
uu. 8 Digital video cassettes

All pursuant to 18 U.S.C. §2253(a)(1) and (3).

A TRUE BILL.



GRAND JURY FOREPERSON

CARTER M. STEWART
UNITED STATES ATTORNEY



ANTHONY SPRINGER
CINCINNATI BRANCH CHIEF